

REMARKS

Claims 13-24 and 26 are pending, with claim 13 being the sole independent claim.
Claims 1-12 and 25 were previously cancelled.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 13-24 and 26 have been rejected as being unpatentable over United States Patent No. 5,933,811 (“Angles”) in view of United States Patent No. 6,173,322 (“Hu”).
Reconsideration and withdrawal of the rejection is requested because neither Angles, Hu, nor any proper combination of the two describes or suggests at least a “direct connect server connected to the network separately from the creative selection server and the content server,” as recited by claim 13. Claim 13 recites that the direct connect server “receives creative selection criteria from the user computer,” and in response to a “user request to receive non-advertising content” and “at least one redirect command from the content server,” “generates a request for a creative message...; transmits the request for the creative message to the creative selection server; receives an identification of one or more creatives from the creative selection server; and sends the identification of one of more creatives to the user computer.” Thus, the direct connect server interacts with the user computer and with the creative selection server, while the user computer interacts with the content server and the direct connect server such that the claim recites four different entities.

In contrast, Angles merely states that a consumer 12 requests a page from a content provider 14 (step 302, Fig. 3; col. 8, lines 35-43) and the content provider 14 sends the page and an embedded advertisement request to the consumer 12 (step 304, Fig. 3; col. 8, lines 44-46). The consumer 12 then establishes a link with an advertisement provider 18 (step 306, Fig. 3; col. 8, lines 46-49), and the advertisement provider 18 sends a customized advertisement to the consumer 12 based on the consumer's profile (steps 308 and 310, Fig. 3; col. 8, lines 52-61). In the system of Angles, the consumer 12 most closely corresponds with the “user computer” recited in claim 13, the content provider 14 most closely corresponds with the “content server” recited in claim 13, and the advertisement provider 18 most closely corresponds with the

“creative selection server” recited in claim 13. Angles does not disclose anything that corresponds to the “direct connect server” recited in claim 13.

The action cites steps 302, 304, and 306 as disclosing the redirect command configured to direct the user computer to the direct connect server. However, as noted above, the embedded advertisement request of Angles causes the consumer 12 to establish a link with the advertisement provider 18, and not a direct connect server as recited in claim 13. Moreover, if one were to construe the advertisement provider 18 of Angles to be the recited “direct connect server,” then Angles would fail to disclose the “creative selection server” recited in claim 13. Furthermore, the advertisement provider 18 of Angles does not generate a request for a creative message and transmit the request to a “creative selection server,” as recited in claim 13 with respect to the direct connect server.

The action acknowledges that Angles failed to describe both the “content server” and the “direct connect server” of claim 13, but noted that “Applicant’s direct connect server is minimally defined” and that the “Examiner could only find Applicant’s paragraph [15] to see what the direct connect server is or what it does.” However, the claimed “direct connect server” is described at length in the application: on pages 3-6 with reference to Fig. 1 (DCS server 111), on pages 6-7 with reference to Fig. 2 (DCS server 209), and on pages 2-3 in the summary section (“front-end server”). These portions of the application clearly describe the claimed direct connect server, and its operation.

The action also asserts that “it would have been obvious to one skilled in the art that Angles can use more than one server to perform the advertisement provider functions.” Even assuming for the sake of argument that this is correct, it in no way renders obvious the arrangement of a direct connect server and other elements recited in claim 13.

Likewise, Hu fails to disclose or suggest the direct connect server recited by claim 13. In fact, Hu is unrelated to the creative content selection and distribution system of claim 13, and instead relates to distribution of processing operations among multiple servers according to processing capacity (*see* abstract of Hu, for example). The action cited the network request

manager of Hu as “provid[ing] information to one of many content servers which are also directly connected to the Internet” and “provid[ing] the content to the user.” Hu fails, however, to disclose or suggest that the network request manager of Hu “generates a request for a creative message” in response to “the user request to receive non-advertising content and the at least one redirect command from the content server,” as recited by claim 13. Specifically, Hu discusses only a request for content and a response thereto, and does not disclose a first request for a first type of content (i.e. non-advertising content) and a second request for a second type of content (i.e. creative content) based on the first request. Thus, Hu does not remedy the failure of Angles regarding the direct connect server and the features thereof recited by claim 13.

Accordingly, for the foregoing reasons, withdrawal of the rejection of claim 13 is requested. The rejection of each of dependent claims 14-24 and 26 should be withdrawn for at least the reasons set forth with respect to claim 13, from which they depend.

Applicant submits that all claims are in condition for allowance.

No fee is due in connection with the filing of this paper. However, authorization is give to apply any necessary charges or any credits to deposit account 06-1050.

Respectfully submitted,

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